

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| K.W., a minor by parent and natural Guardian NICHOLAS WISER; and NICHOLAS WISER, in his own right, |) | |
| |) | |
| |) | |
| |) | Civil Action |
| Plaintiffs, |) | |
| |) | No. 2:17-cv-01189-CB |
| v. |) | |
| |) | |
| THE ELLIS SCHOOL, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

Motion for Telephonic Participation in Mediation Session

AND NOW, Plaintiffs, K.W. and Mr. Nicholas Wiser, by and through their counsel, Attorney Kristen C. Weidus, respectfully request that Ms. Lindsey Barrowman, Plaintiff K.W.'s mother, be permitted to participate in the mediation session scheduled for April 4, 2019 via telephone. In support of this Motion, Plaintiffs state as follows:

1. On February 15, 2019, the Initial Case Management Conference was held.
2. At that conference, this Honorable Court determined that Ms. Lindsey Barrowman, mother of Plaintiff K.W., should also participate in the Parties' upcoming second mediation session.
3. The Parties have scheduled the second mediation with mediator Carole Katz on April 4, 2019.
4. On March 4, 2019, Plaintiff notified Ms. Lindsey Barrowman via electronic mail of the Court's request regarding her attendance.

5. Ms. Barrowman acknowledged receipt of the electronic correspondence that same day.
6. On Friday, March 29, 2019, Ms. Barrowman contacted Plaintiffs' counsel directly via electronic mail regarding her attendance at the April 4, 2019 mediation session.
7. Ms. Barrowman explained that, "with this being [her] busy season at work, [she is] not available to be there that day."
8. It is Plaintiffs' counsel's understanding that Ms. Barrowman works at an accounting firm, and that because it is tax season she is unable to attend in person.
9. However, Ms. Barrowman has confirmed to Plaintiffs' counsel that she can be available on April 4, 2019 via telephone.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court enter an Order of Court permitting Ms. Lindsey Barrowman to participate in the April 4, 2019 mediation session via telephone.

Respectfully Submitted,

/s/ Kristen C. Weidus

Kristen C. Weidus, Esq.
Attorney I.D. No. 313486
Ruder Law
429 Forbes Avenue, Suite 450
Pittsburgh, PA 15219
Telephone: (412) 281-4959
Fax: (412) 291-1389
Email: kristenweidus@ruderlaw.com

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